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In re Application of	:	
Li, et al.	:	
Application No. 09/934,004	:	ON PETITION
Filed: August 20, 2001	:	
Attorney Docket No. KLR7146.0122	:	

This is a decision on the petition to revive an unintentionally abandoned application under 37 CFR 1.137(b), filed December 22, 2004.

The petition under 37 CFR 1.137(b) is **GRANTED**.

The above-identified application became abandoned for failure to timely file a response to the non-final Office action mailed May 21, 2004. This Office action set a shortened statutory period for reply of three months. No extensions of time under 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on August 22, 2004. A Notice of Abandonment was mailed on December 16, 2004.

Petitioner has submitted the petition fee and an amendment, and made the proper statement of unintentional delay.

Pursuant to 37 CFR 1.136, an extension of time must be filed prior to the expiration of the maximum period obtainable for reply to avoid abandonment. Accordingly, since the \$1020 extension of time fee submitted with the petition on December 22, 2004 was subsequent to the maximum period obtainable for reply (November 21, 2004), this fee has been refunded to petitioner's Deposit Account No. 03-1550.

The application file is being forwarded to Group Art Unit 2174 for consideration of the amendment filed December 22, 2004.

Telephone inquiries concerning this decision should be directed to the undersigned at (571)272-3207.

Cliff Congo

Cliff Congo
Petitions Attorney
Office of Petitions